

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

CHRISTOPHER M. SCHLUTER,

Plaintiff,

v.

Case No. 22-CV-794

**MILWAUKEE COUNTY DISTRICT
ATTORNEY OFFICE,**

Defendant.

**REPORT AND RECOMMENDATION TO DISMISS
FOR FAILURE TO PROSECUTE¹**

Christopher M. Schluter filed a *pro se* complaint against the “Milwaukee County District Attorney Office” on July 11, 2022. (Docket # 1.) On July 29, 2022, I entered an order granting Schluter fourteen (14) days to amend his complaint to properly allege this Court’s jurisdiction and to properly state a claim under a specific federal law. (Docket # 6.) I also cautioned Schluter that failure to do so would result in his case being dismissed without further notice for failure to prosecute. (Docket # 6.) As of the date of this report and recommendation, Schluter has not submitted an amended complaint.

Because it does not appear that Schluter intends to prosecute this action, dismissal is appropriate. Furthermore, Schluter has not heeded the court’s warning that his action would be dismissed if he did not take the required steps, justifying dismissal with prejudice.

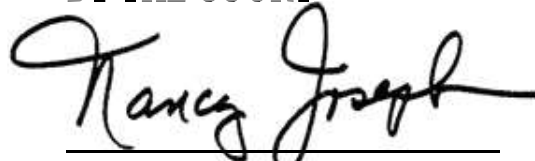
¹ Because the defendant has not yet appeared and had an opportunity to consent to or refuse magistrate judge jurisdiction, I issue a report and recommendation regarding the dismissal of the petition. *See Coleman v. Labor and Indus. Rev. Comm’n*, 860 F.3d 461 (7th Cir. 2017).

Therefore, **IT IS HEREBY RECOMMENDED** that Schluter's action be **DISMISSED WITH PREJUDICE** for failure to prosecute.

Your attention is directed to General L.R. 72(c), 28 U.S.C. § 636(b)(1)(B) and Federal Rules of Criminal Procedure 59(b), or Federal Rules of Civil Procedure 72(b) if applicable, whereby written objections to any recommendation or order herein, or part thereof, may be filed within fourteen (14) days of the date of service of this recommendation or order. Objections are to be filed in accordance with the Eastern District of Wisconsin's electronic case filing procedures. Failure to file a timely objection with the district court shall result in a waiver of a party's right to appeal. If no response or reply will be filed, please notify the court in writing.

Dated at Milwaukee, Wisconsin this 18th day of August, 2022.

BY THE COURT

A handwritten signature in black ink, appearing to read "Nancy Joseph", written over a horizontal line.

NANCY JOSEPH

United States Magistrate Judge